

Message

From: Greene, Nikia [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=32A08A414A4F40199B557C0819EB7D0B-GREENE, NIKIA]
Sent: 7/30/2019 8:24:32 PM
To: David Shanight [shanightdt@cdmsmith.com]
Subject: FW: Comment Letter: BPSOU NST-DE RFC 2, dated July 2, 2019

Nikia Greene
Remedial Project Manager
U.S. EPA, Region 8
(406)-457-5019
greenes.nikia@epa.gov

From: Ford, Jim <JFord@mt.gov>
Sent: Tuesday, July 30, 2019 9:59 AM
To: Greene, Nikia <Greene.Nikia@epa.gov>
Cc: Harris, Harley <HarleyHarris@mt.gov>; Bryson, Josh <josh.bryson@bp.com>; Reed, Daryl <dreed@mt.gov>; Josh Vincent (WET) <jvincent@waterenvtech.com>; Stoops, Thomas <TStoops@mt.gov>
Subject: RE: Comment Letter: BPSOU NST-DE RFC 2, dated July 2, 2019

Nikia,

We are unaware that BP-AR was again requesting to perform a pump-test(s) down-gradient of the Parrot Tailings Waste Removal Project (Parrot Project). When BP-AR sent their original request out on June 5th I sent you an email again requesting coordination on these type of BPSOU groundwater issues so there is no misunderstandings, miscommunication, or detrimental impacts to our Parrot Project efforts (my email below). You responded June 6th that BP-AR was withdrawing their submittal at your request (your email below). It appears that BP-AR resubmitted a reconstituted plan dated July 5th. I cannot find any correspondence that we received from BP-AR or EPA about this document or that you were requesting comments from other agencies. Was NRDP left out of the loop again or am I missing something?

We need to know the specifics of these activities so we can plan and account for its impacts on our Parrot Project - Performance Monitoring Plan (PMP) data collection that we have ongoing in these specific areas. We are also implementing our Interim Groundwater Pumping Plan which was presented and is being coordinated with BP-AR and EPA in this general area. This groundwater collection could be potentially impacted depending on the locations of BP-AR pumping wells.

NRDP has over 30 new critically located monitoring wells with transducers reading water levels at 15-minute intervals and we collect quarterly water quality samples from almost 100 monitoring wells in these areas that will be potentially impacted. We also are collecting insitu water quality parameters, which BP-AR does not perform anywhere in BPSOU, that could be impacted. The State is spending over \$600k/year on contaminated groundwater collection and these monitoring efforts and want to insure that our data, and resulting analysis, is not compromised by BP-ARs efforts to understand groundwater flow and contaminant fate/transport in these areas.

To move forward can we get a copy of the document and if we choose to comment on the document will the comments be addressed? Can you also please keep us up to date on schedule and schedule changes?

Thank you, Jim

Jim Ford
NRDP/DOJ
1720 9th Avenue
P.O. Box 201425
Helena, MT 59620-1425

office 406/444-4034
cell 406/439-2108



From: Greene, Nikia <Greene.Nikia@epa.gov>
Sent: Thursday, June 6, 2019 9:31 AM
To: Ford, Jim <JFord@mt.gov>
Cc: Hausrath, Katherine <KHausrath@mt.gov>; Harris, Harley <HarleyHarris@mt.gov>; Elsen, Henry <Elsen.Henry@epa.gov>; Reed, Daryl <dreed@mt.gov>; Morgan, Jonathan <JMorgan3@mt.gov>; Bryson, Josh <josh.bryson@bp.com>; Loren Burmeister (BP) <loren.burmeister@bp.com>; Vranka, Joe <vranka.joe@epa.gov>
Subject: RE: NRDP Request for EPA Coordination of Remedy with the Parrot Tailings Waste Removal Project

Jim,

Thanks for the email, I am not aware of any meetings that the agencies have had and will keep you apprised as they relate to the PTWRP . I gave Josh a call and asked him to withdrawal the pump test, because we were getting ahead of ourselves on optimization. So we should see a resubmittal of the pump test specific to NST and DE dewatering and characterization soon.

Thanks,

Nikia Greene
Remedial Project Manager
U.S. EPA, Region 8
(406)-457-5019
greene.nikia@epa.gov

From: Ford, Jim <JFord@mt.gov>
Sent: Thursday, June 06, 2019 9:10 AM
To: Greene, Nikia <Greene.Nikia@epa.gov>
Cc: Hausrath, Katherine <KHausrath@mt.gov>; Harris, Harley <HarleyHarris@mt.gov>; Elsen, Henry <Elsen.Henry@epa.gov>; Reed, Daryl <dreed@mt.gov>; Morgan, Jonathan <JMorgan3@mt.gov>; Bryson, Josh <josh.bryson@bp.com>; Loren Burmeister (BP) <loren.burmeister@bp.com>
Subject: NRDP Request for EPA Coordination of Remedy with the Parrot Tailings Waste Removal Project

Nikia,

BP-ARs investigations, activities, and actions relating to groundwater in, around, and hydraulically down-gradient of the Parrot Tailings Waste Removal Project have direct and indirect impacts on the States Parrot Project and associated Performance Groundwater Monitoring Plan (PMP). The State is spending ~\$36M of its own money to address these wastes that BP-AR is responsible for and we want to ensure that the project is performed in the most cost effective and protective manner possible. These BP-AR investigations, activities, and actions also directly affect BP-ARs ambiguous legal claims of impacts on their groundwater remedial system from the Parrot Project and the debated effectiveness of the remedy at protecting the Blacktail Creek from continued contaminated groundwater discharge.

Until recently NRDP, as the entity tasked to implementing the Parrot Project as the State Trustee representative, was included on all correspondence and meetings that related to Butte CERCLA groundwater. Now apparently NRDP is again being excluded from relevant groundwater meetings and BP-ARs proposed groundwater investigations and data collection. Placing that coordination responsibility on DEQ is an unreasonable burden and can lead to miscommunication and misunderstanding. CERCLA requires that EPA coordinate Remedy directly with trustees so if you can please direct BP-AR to included NRDP in all relevant meetings, proposed data collection, and documents or perform that coordination yourself it would be appreciated and hopefully help reduce any ongoing misunderstandings and miscommunication.

Thank you, Jim

Jim Ford
NRDP/DOJ
1720 9th Avenue
P.O. Box 201425
Helena, MT 59620-1425

office 406/444-4034
cell 406/439-2108

From: Greene, Nikia <Greene.Nikia@epa.gov>

Sent: Tuesday, July 30, 2019 8:44 AM

To: Bryson, Josh <josh.bryson@bp.com>

Cc: BP File <MiningSharePoint@bp.com>; Chambers, Jenny <JChambers@mt.gov>; Reed, Daryl <dreed@mt.gov>; Morgan, Jonathan <JMorgan3@mt.gov>; Stoops, Thomas <TStoops@mt.gov>; Balliew, Carolina <Carolina.Balliew@mt.gov>; Pat Cunneen <pcunneen@mt.gov>; Ford, Jim <JFord@mt.gov>; Harris, Harley <HarleyHarris@mt.gov>; Palmer, Dave <dpalmer@bsb.mt.gov>; Crain, Julia <jcrain@bsb.mt.gov>; Molly Maffei (BSB) <mmaffei@bsb.mt.gov>; Hassler, Eric <ehassler@bsb.mt.gov>; Warner, Brandon <bwarnar@bsb.mt.gov>; Sullivan, Karen <ksullivan@bsb.mt.gov>; Bryson, Josh <josh.bryson@bp.com>; gordonhart@paulhastings.com; Sesso, Jon <j Sesso@bsb.mt.gov>; 'Robert Bylsma' <rbylsma@up.com>; Leo Berry <leo@bkbh.com>; P. E. Yueh Chuang <Yueh.Chuang@BNSF.com>; brooke.kuhl@bnsf.com; Jeremie Maehr <JeremieMaehr@kennedyjenks.com>; Joe McElroy <jmcelroy@pioneer-technical.com>; Robert I. Schellig (rschellig@patriotrail.com) <rschellig@patriotrail.com>; Becky Summerville (bsummerville@mtresourcesinc.com) <bsummerville@mtresourcesinc.com>; dmaack@mtresourcesinc.com; rlowry@kelrun.com; jashworth@kelrun.com; Harris, Cord <Cord.Harris@bp.com>; Burmeister, Loren D <Loren.Burmeister@bp.com>; Martin, Jean A <jean.martin@bp.com>; Duffy, William <William.Duffy@dgslaw.com>; Mave Gasaway <Mave.Gasaway@dgslaw.com>; Sampson, Patrick (Pioneer Technical Services) <psampson@pioneer-technical.com>; Craig Deeney <cdeeney@woodardcurran.com>; Scott Bradshaw <sbradshaw@woodardcurran.com>; Mike Borduin <mborduin@pioneer-technical.com>; Karen Helfrich <khelfrich@pioneer-technical.com>; Brad Archibald (barchibald@pioneer-technical.com) (barchibald@pioneer-technical.com) <barchibald@pioneer-technical.com>; 'P. E. Don Booth' <donbooth10@gmail.com>; Duaime, Ted <TDuaime@mttech.edu>; gicopini@mttech.edu; David Shanight <shanightdt@cdmsmith.com>; Chapin Storrar <storrarcs@cdmsmith.com>; Curt Coover <cooverca@cdmsmith.com>; Elsen, Henry <Elsen.Henry@epa.gov>; Vranka, Joe <vranka.joe@epa.gov>; Wardell, Christopher <Wardell.Christopher@epa.gov>; Belille, Jean <Belille.Jean@epa.gov>; buttectec@hotmail.com

Subject: Comment Letter: BPSOU NST-DE RFC 2, dated July 2, 2019

Josh,

Attached is the above described comment letter.

Thanks,

Nikia Greene
Remedial Project Manager
U.S. EPA, Region 8
(406)-457-5019
greene.nikia@epa.gov